

CITY OF HOLLISTER CITY COUNCIL

Minutes of Regular Meeting

September 6, 2005

CALL TO ORDER:

The regular meeting of the City Council of the City of Hollister was called to order by Mayor Valdivia on September 6, 2005, at 6:02 p.m. in the City Council Chambers at City Hall.

ROLL CALL: Roll was answered as follows:

PRESENT: Mayor Pauline Valdivia, City Council Members Brad Pike, Doug Emerson, Robert Scattini, and Monica Johnson, City Manager Clint Quilter, Acting City Attorney Rob Wellington, and City Clerk Geri Johnson.

ABSENT: City Attorney Elaine Cass.

VERIFICATION OF AGENDA POSTING:

The Agenda for the City Council of the City of Hollister meeting of September 6, 2005, was posted on the bulletin board at City Hall on September 1, 2005, at 4:35 p.m. per Government Code Section 54954.2.

CLOSED SESSION AGENDA:

A. Public comment for Closed Session agenda.

None.

B. Mayor Valdivia announced that the City Council of the City of Hollister would meet in Closed Session to discuss all or some of the following matters:

1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential

cases will be discussed)

2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed)
3. Conference with Legal Counsel - Pending Litigation - pursuant to Government Code Section 54956.9(a)
 - a. RWQCB - Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
 - c. Nicholson v. Hollister, Case Number CU-04-00063
 - d. Borges et al v. Hollister, Case Number CV030139
4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union - Local 3395; Hollister Peace Officers Association; Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential

Council Member Scattini moved to recess to Closed Session at 6:03 p.m. to discuss the items listed above. Motion seconded by Council Member Emerson and carried by a unanimous vote.

The City Council reconvened at 6:32 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Roll was answered as follows:

PRESENT: Mayor Pauline Valdivia, City Council Members Brad Pike, Doug Emerson, Robert Scattini, and Monica Johnson, City Manager Clint Quilter, Acting City Attorney Rob Wellington, and City Clerk Geri Johnson

ABSENT: City Attorney Elaine Cass.

STAFF PRESENT: Chief of Police Jeff Miller, Community Services Director Clay Lee, Interim Deputy Public Works Director Steve Wittry, Human Resource Analyst Jacki Credico, Airport Manager Bill Gere, and RDA Manager Billy Avera.

VERIFICATION OF AGENDA POSTING:

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PROCLAMATION:

Mayor Valdivia proclaim September 17-23, 2005, to be Constitution Week in the City of Hollister and presented the Proclamation to Mrs. Lanetta Bishop of the DAR.

CLOSED SESSION:

Acting City Attorney Wellington announced that the City Council of the City of Hollister had received information on the following and no action was taken:

1. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union, Local 3395; Hollister Peace officers Association; Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.

A. CONSENT RESOLUTION (September 6, 2005):

1. Minutes of Regular Meeting of August 15, 2005.
 - (a) Approved the Minutes of the Regular Meeting of August 15, 2005, as submitted.
4. Resolution No. 2005-128, A RESOLUTION OF THE CITY COUNCIL OF THE

**CITY OF HOLLISTER ADOPTING AN ADDENDUM TO THE MITIGATED
NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR
THE ANNOTTI ADULT HOUSING PROJECT (MILLER-FERREIRA).**

- (a) Received transmittal dated August 23, 2005, Miller-Ferreira (Annotti) Mitigated Negative Declaration Addendum, from Development Services Director Avera.
 - (b) Adopted Resolution No. 2005-128, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING AN ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR THE ANNOTTI ADULT HOUSING PROJECT (MILLER-FERREIRA).
5. Resolution No. 2005-129, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE ANNUAL HIGH SCHOOL HOMECOMING PARADE.
- (a) Received transmittal dated August 28, 2005, Resolution Approving Temporary Closure of various streets for the annual High School Homecoming Parade, from City Clerk Johnson.
 - (b) Adopted Resolution No. 2005-129, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE ANNUAL HIGH SCHOOL HOMECOMING PARADE.

Council Member Emerson moved to adopt the Consent Resolution (September 6, 2005) as stated above. Motion seconded by Council Member Pike and carried by a unanimous vote.

ITEMS PULLED FROM CONSENT RESOLUTION (September 6, 2005):

2. Warrant Registers.

- (a) Received transmittals, Warrant Register, from Administrative Services Director Galvan.
- (b) Council Member Scattini moved to ratify and approve Warrant Registers dated :
 - August 12, 2005, in the amount of \$792,281.28
 - August 19, 2005 in the amount of \$261,607.77
 - August 26, 2005 in the amount of \$526,807.52Motion seconded by Council Member Johnson and carried by a

unanimous vote.

3. Resolution No. 2005-127, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING THE PLAN FOR SERVICES FOR THE ANNOTTI ADULT HOUSING PROJECT RELATING TO ANNEXATION APPLICATION NO. 2000-191 (MILLER-FERREIRA).
 - (a) Received transmittal dated August 23, 2005, Miller-Ferreira (Annotti) Plan for Services from Development Services Director Avera.
 - (b) Council Member Pike moved to adopt Resolution No. 2005-127, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING THE PLAN FOR SERVICES FOR THE ANNOTTI ADULT HOUSING PROJECT RELATING TO ANNEXATION APPLICATION NO. 2000-191 (MILLER-FERREIRA). Motion seconded by Council Member Emerson and carried by a unanimous vote.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. Public Input.

None.

C. PUBLIC HEARINGS: (on or about 7:00 P.M.)

None.

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Resolution No. 2005-130, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING EXISTING AT-GRADE PUBLIC ROAD CROSSING IMPROVEMENT AGREEMENT WITH UNION PACIFIC RAILROAD and

Resolution No. 2005-131, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING AN APPROPRIATION FROM TRAFFIC IMPACT FUND 304 FOR THE "NORTH STREET EXTENSION PROJECT", CIP 2309.

- (a) Received transmittal dated August 26, 2005, A Resolution of the City Council of the City of Hollister approving the At-Grade Public Road

Crossing Improvement Agreement with Union Pacific Railroad for the North Street Crossing Improvements, from Assistant Civil Engineer Kelley.

- (b) Council Member Emerson moved to adopt Resolution No. 2005-130, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING EXISTING AT-GRADE PUBLIC ROAD CROSSING IMPROVEMENT AGREEMENT WITH UNION PACIFIC RAILROAD. Motion seconded by Council Member Scattini and carried by a unanimous vote.
 - (c) Council Member Johnson moved to adopt Resolution No. 2005-131, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING AN APPROPRIATION FROM TRAFFIC IMPACT FUND 304 FOR THE "NORTH STREET EXTENSION PROJECT", CIP 2309. Motion seconded by Council Member Emerson and carried by a unanimous vote.
2. Resolution No. 2005-132, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING THE CITY'S CLASSIFICATION AND COMPENSATION PLAN BY ADOPTING JOB SPECIFICATIONS AND A SALARY RANGE FOR CITY ENGINEER AND APPROVING THE RECRUITMENT FOR THE POSITION.
- (a) Received transmittal dated August 26, 2005, Consider Resolution 2005-132, a Resolution of the City Council of the City of Hollister amending the City's Classification and Compensation Plan by adopting job specifications and a salary range for City Engineer and approving the recruitment for the position, from HR Analyst Credico.
 - (b) Council Member Scattini moved to adopt Resolution No. 2005-132, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING THE CITY'S CLASSIFICATION AND COMPENSATION PLAN BY ADOPTING JOB SPECIFICATIONS AND A SALARY RANGE FOR CITY ENGINEER AND APPROVING THE RECRUITMENT FOR THE POSITION and directed staff to do an open recruitment for the position. Motion seconded by Council Member Emerson and carried by a unanimous vote.
3. Resolution No. 2005-133, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING THE CITY'S CLASSIFICATION AND COMPENSATION PLAN BY ADOPTING JOB SPECIFICATIONS AND A SALARY RANGE FOR DEVELOPMENT SERVICES DIRECTOR AND APPROVING THE RECRUITMENT FOR THE POSITION.

- (a) Received transmittal dated August 26, 2005, Consider Resolution 2005-133, a Resolution of the City Council of the City of Hollister amending the City's Classification and Compensation Plan by adopting job specifications and a salary range for Development Services Director and approving the recruitment for the position, from HR Analyst Credico.
 - (b) Council Member Scattini moved to adopt Resolution No. Resolution No. 2005-133, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING THE CITY'S CLASSIFICATION AND COMPENSATION PLAN BY ADOPTING JOB SPECIFICATIONS AND A SALARY RANGE FOR DEVELOPMENT SERVICES DIRECTOR AND APPROVING THE RECRUITMENT FOR THE POSITION directed staff to do an open recruitment for the position. Motion seconded by Council Member Pike and carried by a unanimous vote.
- 4. Resolution No. 2005-134, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING THE CITY'S CLASSIFICATION AND COMPENSATION PLAN BY ADOPTING JOB SPECIFICATIONS AND A SALARY RANGE FOR ECONOMIC DEVELOPMENT MANAGER AND APPROVING THE RECRUITMENT FOR THE POSITION.
 - (a) Received transmittal dated August 26, 2005, Consider Resolution 2005-134, a Resolution of the City Council of the City of Hollister amending the City's Classification and Compensation Plan by adopting job specifications and a salary range for Economic Development Manager and approving the recruitment for the position, from HR Analyst Credico.
 - (b) Annette Giacomazzi, Hollister, CA stated that she believes the City of Hollister should not bear the full financial burden for this position and the business plan should be in place before hiring someone. The plan should identify the strengths, weaknesses, etc. of the City and be done in conjunction with the Private Industry Council and other organizations. Mrs. Giacomazzi urged the City Council to reconsider adopting this Resolution.
 - (c) Council Member Johnson moved to adopt Resolution No. 2005-134, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING THE CITY'S CLASSIFICATION AND COMPENSATION PLAN BY ADOPTING JOB SPECIFICATIONS AND A SALARY RANGE FOR ECONOMIC DEVELOPMENT MANAGER AND APPROVING THE RECRUITMENT FOR THE POSITION. Motion seconded by Council Member Scattini and carried by a unanimous vote.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council Committees.
 - (a) Council Member Emerson reported that the Homeless Task Force is in the process of hiring a manager for the Shelter for the winter season. If anyone is interested they should contact Council Member Emerson.
2. Reports from City Council, City Manager, City Attorney, and Staff.
 - (a) City Manager Quilter - informed the City Council that the Monterey Bay Division meeting of the League of CA Cities will be held in San Juan Bautista on September 12 and the City/County emergency training will be held on September 19 and 20.
 - (b) City Attorney Cass - absent.
 - (c) Acting City Attorney Wellington - glad to be here to help.
 - (c) City Clerk Johnson - nothing to report.
 - (d) City Council Member Pike, District 1 - stated that local districts are better prepared than the Gulf Coast region; urged everyone to be prepared for a disaster; will meet with the City Manager and both Chiefs regarding emergency preparedness; the City should have MRE's and water ready; met with some people who want to bring businesses into our area; will set vision for a regional lake and/or park to maybe use recycled water; suggested that the proposed soccer field park should be moved closer to Hollister; attended the Boys & Girls Club in Salinas and would like to utilize that organization with the YMCA; has received complaints about speeding traffic on Fourth Street, west of San Benito Street; and received a complaint about landscaping at the new southeast area park.
 - (e) City Council Member Emerson, District 4 - urged all employees and others to donate to the American Red Cross; met with Sam Perez and Mike Torres regarding the tobacco retail permit program; and thanked Clint for attending the Rotary meeting and making a good presentation on the new wastewater treatment program.
 - (f) City Council Member Johnson, District 5 - apologized to a local resident because she lost some emails; disturbed that local retailers are selling tobacco to minors and she believes that the Hollister Downtown Association and the Chamber of Commerce should get involved; will have a booth at the San Benito County Fair and needs information from all Departments and would like Department Heads to sign up to work in the booth; wants to get children involved in what we have as a City; will attend the Youth Alliance program to be held on September 24 from 11-

3 at Dunne Park; thanked Mike Howard and the Inn at Tres Pinos for highlighting two new wineries in the County as this is good for tourism; and next Saturday is the annual wine tasting event at the Paicines Ranch to benefit the Kinship Center who provides adoption services and support to children.

- (g) City Council Member Scattini, District 2 - challenged everyone to donate to a Katrina hurricane relief fund and he donated \$600.00.
- (h) Mayor Valdivia, District 3 - everyone is focusing on the Gulf Coast and the hurricane recovery; she offered her condolences to many families who have lost family members or loved ones; will help Brad with emergency preparedness which is needed; will attend the Youth Alliance program; and is supportive of doing something to cease the sale of tobacco to minors.

3. Water and wastewater Issues.

- (a) Received oral report from City Manager Quilter.
- (b) Information only; no City Council action taken.

4. Community Media Access Partnership (CMAP) report.

- (a) Received letter dated September 6, 2005, from Suzanne St. John-Crane, Executive Director of Community Media Access Partnership (CMAP).
- (b) Received oral report from Suzanne St. John-Crane regarding the abolishment of franchise agreements and franchise fees which is a threat to CMAP and the four channel community TV stations. She explained that 70% of CMAP's funding is in the franchise agreement fees. Everyone was urged to contact our Senators and Representative Sam Farr and tell them to vote against any legislation that would take away any community access franchises especially SB 1504.
- (c) Council Member Emerson moved to have the City Manager prepare a letter as soon as possible for the Mayor's signature and for staff to prepare a resolution for City Council adoption at the next meeting (September 19). Motion seconded by Council Member Scattini and carried by a unanimous vote.

5. Community Services Department Seasonal Staffing Request.

- (a) Received transmittal dated August 18, 2005, Community Services Department Seasonal Staffing Request, from Community Services

Director Lee.

- (b) Council Member Emerson moved to authorize the recruitment and hiring of seasonal staff for the Streets and Parks Divisions of the Community Services Department. Motion seconded by Council Member Johnson and carried by a unanimous vote.

6. Receive status report on Hollister Municipal Airport.

- (a) Received oral report from Airport Manager Gere.
- (b) Information only; no City Council action taken.

F. UNFINISHED BUSINESS:

None.

G. NEW BUSINESS:

None.

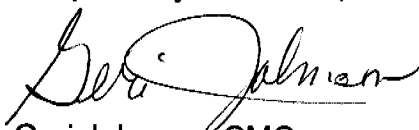
H. MISCELLANEOUS:

None.

ADJOURNMENT:

There being no further business to come before the City Council of the City of Hollister, the regular meeting of September 6, 2005, was adjourned at 8:31 p.m. by motion of Council Member Emerson. Motion seconded by Council Member Johnson and carried by a unanimous vote.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Geri Johnson", written over a horizontal line.

Geri Johnson, CMC
City Clerk